

STATE OF ALABAMA
COUNTY OF SHELBY

20051227000661710 1/3 \$17.00
Shelby Cnty Judge of Probate, AL
12/27/2005 08:38:56AM FILED/CERT

LICENSE AGREEMENT AND EASEMENT

Whereas, Jeff and Nancy Riley (hereinafter called "Riley") are the owners of Lot 465 according to the Survey of Weatherly, Treymor Abbey, Sector 22, as recorded in Map Book 21, Page 59 in the Probate Office of Shelby County, Alabama; and

Whereas, Joseph C. and Jennifer C. Hortiz (hereinafter called "Hortiz") are the owners of Lot 464 according to the Survey of Weatherly, Treymoor Abbey, Sector 22, Map Book 21 Page 59 in the Probate Office of Shelby County, Alabama; and

Whereas, as shown in the Survey attached hereto as Exhibit "A" which was prepared by Laurence D. Weygand dated November 11, 2005, there is an encroachment of fencing and a deck owned by Riley. Said encroachment is on the Westerly property line of lot 464 owned by Hortiz and varies in width from 3.3 feet to a maximum of 7.5 feet all of which is shown in the attached survey (a copy of which is attached hereto and made a part hereof as Exhibit "A"); and

Whereas, Riley makes no claim of ownership in and to said lot 464 but request only that Hortiz grant to them a license and easement to permit the identified encroachment to remain undisturbed; and

Whereas, Hortiz are willing to grant such license and easement upon terms and conditions are set out herein.

Now therefore, for and in consideration of the premises and one dollar (\$1.00) in hand paid by Grantee, hereinafter named Jeff Riley and wife, Nancy Riley, the receipt and sufficient of which is acknowledged, the grantors, Joseph C. Hortiz and wife, Jennifer C. Hortiz, do grant, bargain and convey to Jeff and Nancy Riley, their successors and assigns, (the grantee) a license and easement to permit the fencing and deck now encroaching from said lot 465 onto lot 464 as shown by the survey of Laurence D. Weygand, dated November 11, 2005 and attached hereto as Exhibit "A" to remain in place. Also, granted with this license and easement is the right of the grantee to enter onto lot 464 to perform all requisite and necessary maintenance and repair work as shall be required in the proper care and preservation of the fencing and deck.

The grantees, by the acceptance of this license and easement do hereby confirm that they do not make and will not make any claim of ownership in or to lot 464 by virtue of the aforesaid encroachment.

The granting of this license and easement shall constitute a covenant with the land and its terms shall be binding upon their respective successors and assigns forever.

C. N. 1990

In witness whereof, this License and Easement agreement has been executed this _____
day of December, 2005.

Notary: Mary Duboise
MARY Duboise

Commission expires: 8-20-08

GRANTOR

Joseph C. Hortiz

Jennifer C. Hortiz

State of Alabama)
County of Shelby)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify Joseph C. and Jennifer C. Hortiz, whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

GIVEN UNDER MY HAND THIS 15 DAY OF DECEMEBR, 2005.

GRANTEE

Jeff Riley

Nancy Riley

State of Alabama)
County of Shelby)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Jeff and Nancy Riley, whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance they executed the same voluntarily on the day the same bears date.

GIVEN UNDER MY HAND THIS 15 DAY OF DECEMBER, 2005.

My commission expires:

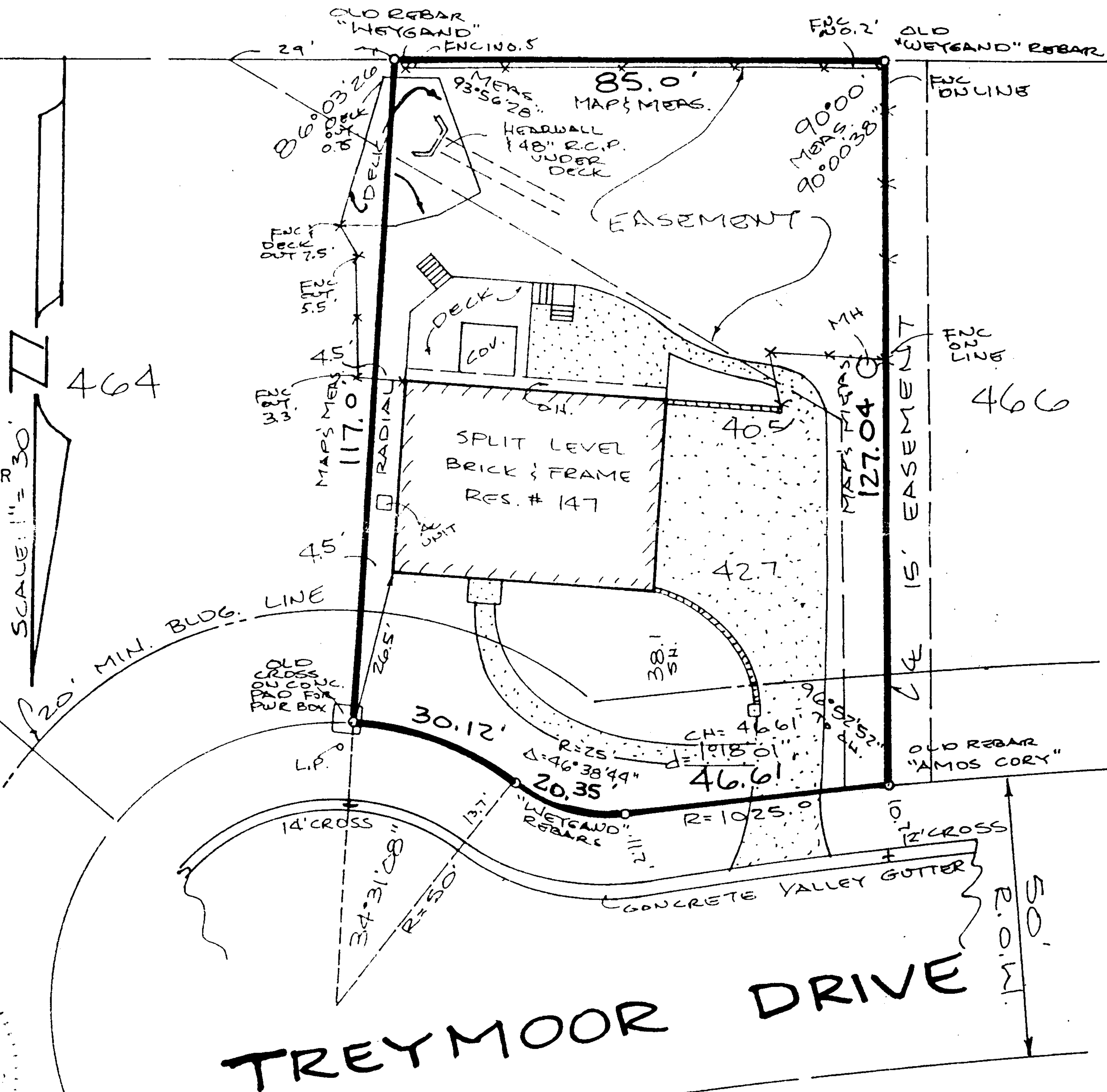
8-20-08

Notary Public

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LEGEND

ASP	ASPHALT
BLDG	BUILDING
CALC	CALCULATED
MEAS	MEASURED
CH	CHORD
LNG	LONG CHORD
d	DEFLECTION
Δ	DELTA
ESMT	EASEMENT
HW	HEADWALL
MIN	MINIMUM
MH	MANHOLE
OH	OVERHANG
POR	PORCH
R	RADIUS
R.O.W.	RIGHT OF WAY
SAN	SANITARY
STM	STORM
UTIL	UTILITY
AC	ACRES
S.F.	SQUARE FEET
CL	CENTERLINE
A/C	AIR CONDITIONER
●	POLE
—X—	ANCHOR
—X—	FENCE
—X—	POWER LINE
PVMT	PAVEMENT
W/	WITH
TAN	TANGENT
RES	RESIDENCE
OLGT	LIGHT
COV	COVERED
DECK	DECK
CONCRETE	CONCRETE
WALL	WALL



"CLOSING SURVEY"

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STATE OF ALABAMA)
SHELBY COUNTY)

I, Laurence D. Weygand, a registered Engineer-Land Surveyor, or Ray Weygand, a Registered Land Surveyor, hereby certify that I have surveyed Lot 465 Block 7 WEATHERLY TREYMOOR ABBEY - SECTOR 22, as recorded in Map Volume 21, Page 59, in the Office of the Judge of Probate, Shelby County, Alabama; that there are no rights-of-way, easements or joint driveways over or across said land visible on the surface except as shown; that there are no electric or telephone wires (excluding wires which serve the premises only) or structures or supports therefor, including poles, anchors and guy wires, on or over said premises except as shown; that I have consulted the Federal Insurance Administration "Flood Hazard Boundary Map" and found that this property is not located in "a special flood hazard area"; that there are no encroachments on said lot except as shown and that improvements are located as shown above. I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief; according to my survey of Nov. 11, 2005
Survey invalid if not sealed in red.

Order No.: 96317
Purchaser:
Address: 147 TREYMOOR DRIVE
Flood Zone: C Map Number: 010192 0002B

Laurence D. Weygand, Reg. P.E. #10373
Ray Weygand, Reg. L.S. #24973
169 Oxmoor Road, Homewood, AL 35209
Phone: (205) 942-0086 Fax: (205) 942-0087
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Note: (a) No title search of the public records has been performed by this firm and land shown hereon was not abstracted for easements and/or rights-of-way, recorded or unrecorded. The parcel shown hereon is subject to setbacks, easements, zoning, and restrictions that may be found in the public records of said county and/or city. (b) All bearings and/or angles, are deed/record map and actual unless otherwise noted. (c) Underground portions of foundations, footings, and/or other underground structures were not located unless otherwise noted. We do not look for underground sewers or flp manhole covers. (d) The shown north arrow is based on deed/record map.